

Message Text

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51

ACTION EA-14

INFO OCT-01 ISO-00 OMB-01 CU-04 SCCT-02 NIC-01 IO-14 AID-20

CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03 NSAE-00 NSC-07

PA-04 RSC-01 PRS-01 SP-03 SS-20 USIA-15 DRC-01 /132 W

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FM AMEMBASSY SEOUL

TO SECSTATE WASHDC 3183

UNCLAS SEOUL 2153

E.O. 11652: N/A

TAGS: PINT, KS

SUBJECT: TEXT OF EMERGENCY MEASURE NUMBER FOUR

REF: SEOUL 2126

FOLLOWING IS UNOFFICIAL TRANSLATION OF TEXT OF EMERGENCY
MEASURE NO. 4.

ARTICLE 1. IT SHALL BE PROHIBITED FOR ANY PERSON TO ORGA-
NIZE OR JOIN THE NATION FEDERATION OF DEMOCRATIC YOUTH AND
STUDENTS OR ANY RELATED ORGANIZATION (HEREINAFTER CALLED
"AN ORGANIZATION"); TO PRAISE, ENCOURAGE OR EXPRESS SYM-
PATHY WITH THE ACTIVITIES OF (SUCH) ORGANIZATION OR ITS
MEMBERS; TO CONFER OR COMMUNICATE WITH THE MEMBERS; TO
ASSIST THE MEMBERS IN HOLDING CLANDESTINE MEETINGS OR
CONTACTS BY PROVIDING PREMISES, GOODS OR FUNDS; OR TO
PARTICIPATE DIRECTLY OR INDIRECTLY IN THE ACTIVITIES OF
(SUCH) ORGANIZATION OR ITS MEMBERS.

ARTICLE 2. IT SHALL BE PROHIBITED FOR ANY PERSON TO PUB-
LISH, MANUFACTURE, POSSESS, DISTRIBUTE, EXHIBIT OR SELL
DOCUMENTS, BOOKS, RECORDINGS AND OTHER MATERIALS PERTAINING
TO THE ACTIVITIES OF SUCH ORGANIZATION AND ITS MEMBERS.

ARTICLE 3. IT SHALL BE PROHIBITED FOR ANY PERSON TO EN-
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COURAGE, INSTIGATE OR PUBLICIZE THE ACTIVITIES PROSCRIBED

IN ARTICLE 1 AND ARTICLE 2.

ARTICLE 4. ANY PERSON WHO ENGAGED IN THE ACTIVITIES STIPULATED IN ARTICLES 1, 2 AND 3 PRIOR TO THE PROMULGATION OF EMERGENCY MEASURE NO. 4 SHALL PRESENT HIMSELF TO THE INVESTIGATION AND INTELLIGENCE AUTHORITIES AND MAKE A DETAILED REPORT NOT LATER THAN APRIL 8, 1974. THOSE WHO COMPLY WITH THIS ARTICLE SHALL NOT BE PUNISHED.

ARTICLE 5. IT SHALL BE PROHIBITED FOR ANY STUDENT TO REFUSE TO ATTEND CLASSES OR EXAMINATIONS WITHOUT JUSTIFICATION AND TO ENGAGE IN MEETINGS IN AND OUTSIDE THE CAMPUS (EXCEPT FOR NORMAL CLASSES OR RESEARCH PROGRAMS UNDER THE SUPERVISION OF SCHOOL AUTHORITIES), DEMONSTRATIONS, PROTEST RALLIES, SIT-IN STRIKES OR ALL OTHER INDIVIDUAL AND COLLECTIVE ACTIVITIES. NONPOLITICAL ACTIVITIES SHALL NOT BE SUBJECT TO THIS PROHIBITION.

ARTICLE 6. IT SHALL BE PROHIBITED FOR ANY PERSON TO ADVOCATE, INSTIGATE OR PROPAGATE ANY ACT OR ACTS WHICH ARE PROHIBITED IN ARTICLE 1 THROUGH 5 OF THE PRESENT EMERGENCY MEASURES; OR TO COMMUNICATE SUCH ACT OR ACTS TO OTHERS THROUGH BROADCASTING, REPORTING, PUBLISHING OR BY ANY OTHER MEANS.

ARTICLE 7. THE EDUCATION MINISTER SHALL BE EMPOWERED TO SUSPEND OR EXPEL ANY STUDENT WHO VIOLATES THE PRESENT EMERGENCY MEASURES, DISSOLVE ANY ORGANIZATION, FRATERNITY OR ASSOCIATION OF STUDENTS, AND ABOLISH THE SCHOOL TO WHICH VIOLATORS OF THE MEASURES BELONG.

ARTICLE 8. ANY PERSON WHO VIOLATES ARTICLE 1 THROUGH 6 OF THE PRESENT EMERGENCY MEASURES, ANY PERSON WHO VIOLATES THE ACTION TAKEN BY THE EDUCATION MINISTER AS PRESCRIBED IN ARTICLE 7 AND DEFAMES THE SAID ACTION SHALL BE PUNISHED BY DEATH PENALTY OR BY LIFE IMPRISONMENT AND BY NOT LESS THAN FIVE YEARS IMPRISONMENT. SUSPENSION OF CIVIL RIGHTS MAY BE IMPOSED IN CASE THE VIOLATOR IS SENTENCED TO A PRISON TERM. ANY PERSON WHO PLOTTED OR ATTEMPTED TO ACT AGAINST ARTICLES 1 THROUGH 3, ARTICLES 5 AND ARTICLES 6 SHALL BE PUNISHED.

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ARTICLE 9. ANY PERSON WHO VIOLATES THE PRESENT EMERGENCY MEASURES SHALL BE SUBJECT TO ARREST, DETENTION, SEARCH OR SEIZURE WITHOUT WARRANT AND SHALL BE TRIED AND SENTENCED BY EMERGENCY COURT-MARTIAL.

ARTICLE 10. THE PROSECUTING OFFICERS OF THE EMERGENCY COURT-MARTIAL SHALL HAVE POWER TO ORDER THE TRANSFER OF

SEIZED DOCUMENTS AND MATERIALS TO THE STATE EVEN IN CASE
THEY WITHHOLD INDICTMENT OF A SUSPECT OR SUSPECTS.

ARTICLE 11. THE MILITARY DISTRICT KOMMANDERS SHALL ASSIST
THE MAYORS OF THE SPECIAL CITY OF SEOUL, PUSAN AND PRO-
VINCIAL GOVERNORS WHEN REQUESTED TO MOBILIZE TROOPS FOR THE
PURPOSE OF MAINTAINING SECURITY AND ORDER.

ARTICLE 12. THE PRESENT EMERGENCY MEASURES SHALL BE EF-
FECTIVE AS FROM 10 P.M., APRIL 3, 1974.
HABIB

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